

**STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION**

Ameren Transmission Company of Illinois	)	
	)	
Petition for a Certificate of Public	)	
Convenience and Necessity, pursuant to	)	
Section 8-406.1 of the Illinois Public	)	
Utilities Act, and an Order pursuant to	)	
Section 8-503 of the Public Utilities Act,	)	No. 12-0598
to Construct, Operate and Maintain a New	)	
High Voltage Electric Service Line and	)	
Related Facilities in the Counties of Adams,	)	
Brown, Cass, Champaign, Christian, Clark,	)	
Coles, Edgar, Fulton, Macon, Montgomery,	)	
Morgan, Moultrie, Pike, Sangamon,	)	
Schuyler, Scott and Shelby, Illinois.	)	

**MOTION FOR STAY**

NOW COMES the Edgar County Citizens Are Entitled To Due Process, by and through their attorney, S. Craig Smith of Asher & Smith, and hereby move that the Illinois Commerce Commission immediately stay the Certificate of Public Convenience and Necessity entered on August 20, 2013, and Second Order on Rehearing entered herein on February 20, 2014, (hereinafter referred to as "Order"), and in support thereof states as follows:

1. That the undersigned intervenor, the Edgar County Citizens Are Entitled to Due Process has attempted to participate in these proceedings both at hearing and on rehearing, and has filed a Notice of Appeal and Notice of Filing of Appeal with the Commission and with the Fourth Appellate District Court of Illinois respectively on October 21, 2013.

2. The Edgar County Citizens Are Entitled To Due Process consists of property owners and tenants who will be affected by that portion of the Order relating to the segment of the project between Meredosia and Pawnee, Illinois.

3. The Edgar County Citizens Are Entitled To Due Process has been informed and believe, and represent on information and belief, that ATXI will proceed and negotiate to acquire certain interest in real property for the construction of the power line contemplated by the Order in the foreseeable future,

and prior to the resolution of any appeal. Please see representative letters from ATXI (redacted), dated September 6, 2013, October 18, 2013, and February 28, 2014, attached hereto as Exhibit A.

4. ATXI has filed a Complaint for Declaratory Judgment, Preliminary Injunction and Permanent Injunction against Tom Ogle, a landowner of property located on the segment stretching from Kansas, Illinois, to Sugar Creek on the Indiana state line, seeking a judicial remedy for enforcement of the Certificate of Public Convenience and Necessity which is currently pending before the Fourth Appellate District of Illinois, attached hereto as Exhibit B.

5. The Appellate Court for the Fourth Appellate District of Illinois has consolidated the Edgar County Citizens Are Entitled To Due Process and the Adams County appeals. The Edgar County Citizens Are Entitled To Due Process is further advised that Morgan, Sangamon, and Scott Counties Land Preservation Group has filed an Appeal and that additional petitioners-appellants will be filing Notices of Appeal with reference to the Order.

6. The Edgar County Citizens Are Entitled To Due Process would respectfully request that this Commission declare the Order be stayed and of no effect until such time as any/all appeals have been fully litigated, and that an Order staying the effectiveness of the Order will conserve the energies of all parties. The Edgar County Citizens Are Entitled To Due Process further respectfully submit that such an Order for Stay will save the time and money of the litigants and this Commission. No party will suffer prejudice by the grant of an Order staying the effectiveness of the Order.

WHEREFORE, the Edgar County Citizens Are Entitled To Due Process moves that this Commission enter an Order staying the effectiveness of the Second Order on Rehearing entered herein on February 20, 2014, and for such further relief as may be deemed necessary under the circumstances.


Respectfully submitted,  
Edgar County Citizens Are Entitled To Due Process  
By Asher & Smith, their Attorneys

By:   
S. Craig Smith, Attorney

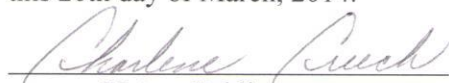
**VERIFICATION**

STATE OF ILLINOIS    )  
                                  ) SS.  
COUNTY OF EDGAR    )

S. Craig Smith, being first duly sworn, deposes and says that he is authorized to execute this Motion for Stay; that he has read the above and foregoing document, has knowledge of the facts stated therein; and herewith states that the matters set forth therein are true in substance and in fact.

  
S. Craig Smith

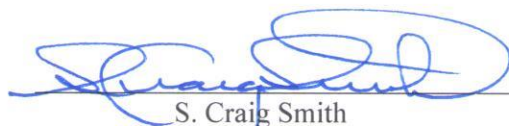
Subscribed and Sworn to before me  
this 20th day of March, 2014.

  
Notary Public



**CERTIFICATE OF SERVICE**

S. Craig Smith, an attorney, hereby certifies that he served copies of the foregoing Motion for Stay on the individuals shown on the attached Service List, via electronic mail, on the 20th day of March, 2014.

  
S. Craig Smith

S. Craig Smith (#18791)  
Asher & Smith  
1119 N. Main Street, P. O. Box 340  
Paris, IL 61944  
Telephone: 217/465-6444  
Fax: 217/463-2486  
e-mail: [craig@ashersmithlaw.com](mailto:craig@ashersmithlaw.com)





Ameren Services

September 6, 2013

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

[REDACTED]

RE: ILLINOIS RIVERS PROJECT  
[REDACTED]

Dear Property Owner:

Ameren Transmission Company of Illinois ("ATXI") has received authorization from the Illinois Commerce Commission to construct a new 345,000 volt electric transmission line through portions of Illinois. The Commission issued a Certificate of Public Convenience and Necessity in Docket No. 12-0598 on August 20, 2013 which approves selected segments of the route for the line. The Certificate and the Order authorizing ATXI to construct selected segments of the transmission line were granted under Sections 8-406.1 and 8-503 of the Public Utilities Act. This transmission line, which is known as the Illinois Rivers Project, will affect property you own.

The Illinois Rivers Project is part of a group of Multi Value Projects that were approved by the regional electric transmission organization known as the Midcontinent Independent System Operator (MISO) of which ATXI is a member. Multi Value Projects have been identified as providing a number of material benefits to the regional and Illinois electric transmission system. Specifically, the Illinois Rivers Project will facilitate the delivery of renewable energy from wind generation in Illinois and throughout the Midwest. This project will also strengthen the transmission system and improve electric service reliability to homes and businesses in the central Illinois region. Another major benefit of the project will be relief from load congestion, making the system more efficient and thereby reducing costs.

The transmission line will be constructed using single-shaft steel poles and will be built to meet all regulatory and safety requirements. The poles will be placed on concrete foundations, and their height will range from 80 to 140 feet with the typical distance between the poles being approximately 700 feet.

ATXI seeks to negotiate the purchase of an easement or other land rights for the new transmission line across land that you own in Edgar County, Illinois. A Contract Land Staff representative, working as a contractor on ATXI's behalf, will contact you sometime after September 21, 2013 to schedule a meeting to discuss the project in detail and to negotiate a fair and reasonable agreement with you for the easement rights ATXI is seeking. If you would like to contact Contract Land Staff sooner to arrange a mutually agreeable time for an appointment, please call Amanda Sloan at (877) 686-6205 or write to them at 3200 Pleasant Run, Suite C, Springfield, IL 62711.

Enclosed is a "Statement of Information from the Illinois Commerce Commission Concerning Acquisition of Rights of Way by Illinois Utilities" and a project overview map for your information. For more information about the Illinois Rivers project, or for a list of contractors that might be contacting you regarding the easement on your property, please see the Project Website at [www.ilriverstransmission.com](http://www.ilriverstransmission.com).

We look forward to meeting with you to discuss the project in detail.

Sincerely,

Rick Trelz, Managing Supervisor, Real Estate  
Ameren Transmission Company of Illinois

Enclosures: Illinois Rivers Project map  
Statement of Information from the Illinois Commerce Commission

ATXI 9001

1901 Chouteau Avenue  
PO Box 66149

St. Louis, MO 63166-6149

Ameren.com

EXHIBIT A



October 18, 2013

**CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

**RE: ILLINOIS RIVERS PROJECT**

Dear Property Owner:

On August 20, 2013, in Docket No. 12-0598, the Illinois Commerce Commission issued to Ameren Transmission Company of Illinois ("ATXI") a Certificate of Public Convenience and Necessity and an Order authorizing ATXI to construct selected segments of the route for a 345,000 volt electric transmission line through portions of Illinois. This transmission line is known as the Illinois Rivers Project. The Certificate and the Order authorizing ATXI to construct selected segments of the transmission line were granted under Sections 8-406.1 and 8-503 of the Public Utilities Act.

As authorized by the Illinois Public Utilities Act (220 ILCS 5/8-510), this letter is to provide you with 30 day written notice of ATXI's intent to enter upon your property for the purpose of conducting land surveys and land use studies for the purpose of gathering information to complete engineering design and to meet state and federal permitting requirements for this project. Below is the citation from the Public Utilities Act related to access for land surveys and land use studies. The land surveys and land use studies will be conducted by ATXI contracted personnel. ATXI is responsible for all crop and property damages, if any, resulting from the aforementioned surveys and studies.

If you have any questions or concerns, or if you would like to meet with a representative from Contract Land Staff, please call Amanda Sloan at 1 (855) 877-8317 or write to them at 3200 Pleasant Run, Suite C, Springfield, IL 62711. Contract Land Staff is working as a contractor on ATXI's behalf.

Thank you in advance for your patience and cooperation as these surveys and studies are conducted.

Sincerely,

Rick Trelz  
Managing Supervisor, Real Estate  
Ameren Transmission Company of Illinois

(220 ILCS 5/8-510) (from Ch. 111 2/3, par. 8-510)

Sec. 8-510. Land surveys and land use studies. For the purpose of making land surveys and land use studies, any public utility that has been granted a certificate of public convenience and necessity by, or received an order under Section 8-503 or 8-406.1 of this Act from, the Commission may, 30 days after providing written notice to the owner thereof by registered mail, enter upon the property of any owner who has refused permission for entrance upon that property, but subject to responsibility for all damages which may be inflicted thereby.

(Source: P.A. 96-1348, eff. 7-28-10.)

ATXI 9002





Ameren Services

February 28, 2014

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

RE: Illinois Rivers Project – Tract # - ILRP\_STPL\_ED\_068, ILRP\_STPL\_ED\_069

PLEASE CONTACT YOUR LOCAL EASEMENT AGENT

Dear Property Owner:

We are writing to summarize and confirm our respective positions on easement acquisition for the Illinois Rivers Project and to seek resolution of all outstanding issues.

The Illinois Rivers Project is a new 345,000-volt electric transmission line that will run through portions of Illinois. On August 20, 2013, the Illinois Commerce Commission (ICC) approved this project when it issued Ameren Transmission Company of Illinois ("ATXI") a Certificate of Public Convenience and Necessity and an Order authorizing ATXI to construct select segments of the line. The ICC granted the Certificate and Order in Docket No. 12-0598, under Sections 8-406.1 and 8-503 of the Public Utilities Act.

Our offer to you is [REDACTED] for the easement, which includes [REDACTED] for pre-paid crop damages, as well as restoration for soil damage that may occur during transmission line construction.

Our easement offer is based, at a minimum, upon an independent analysis of your property by a certified appraiser. The pre-paid damage restoration payment offer assumes maximum usage of the easement for construction and diminished multi-year yield.

We have made several attempts to contact you to discuss our easement proposal. To date, we have been unable to address your concerns. We would like the opportunity to address any concerns you may have.

The project schedule requires us to strive to reach agreement for an easement in the near future -- or determine if an agreement cannot be reached. **Our goal is to reach a fair easement agreement that is beneficial to both parties.**

Please contact your local agent, Roy Wimp with Contract Land Staff at (812) 572-1361 in the near future so we can address any concerns you may have.

We look forward to working with you to reach a mutually beneficial agreement.

Very truly yours,

Rick D. Trelz  
Manager – Real Estate  
Ameren Transmission Company of Illinois

cc: Project File  
ATXI

9006

IN THE CIRCUIT COURT FOR THE FIFTH JUDICIAL CIRCUIT  
EDGAR COUNTY, ILLINOIS

**FILED**

DEC 17 2013

*Karen D. Hollman*  
Circuit Clerk, 5th Judicial Circuit Edgar County

AMEREN TRANSMISSION COMPANY  
OF ILLINOIS, an Illinois limited liability  
company,

Plaintiff,

v.

THOMAS OGLE,

Defendant.

Case No.: 13-MR-85

**COMPLAINT FOR DECLARATORY JUDGMENT,  
PRELIMINARY INJUNCTION, AND PERMANENT INJUNCTION**

NOW COMES Plaintiff, AMEREN TRANSMISSION COMPANY OF ILLINOIS, an Illinois limited liability company ("ATXI"), by and through its attorneys, Sorling Northrup, Gary A. Brown, David A. Rolf and Lisa A. Petrilli, of Counsel, and Brankey & Smith, Rodney L. Smith, of Counsel, and for its Complaint for Declaratory Judgment, Preliminary Injunction and Permanent Injunction against Defendant, THOMAS OGLE, states as follows:

**PARTIES**

1. Plaintiff ATXI is an Illinois limited liability company with its principal place of business in Illinois.
2. ATXI is a company organized for the purpose, among other things, of electric transmission infrastructure investment and expanding electric transmission systems in Illinois.
3. ATXI is a company regulated by the Illinois Commerce Commission ("ICC") pursuant to the Illinois Public Utilities Act ("PUA") (220 ILCS 5/1-101 *et seq.*).
4. Defendant, Thomas Ogle, is the owner of two certain parcels of land located in Edgar County, Illinois with legal descriptions of: